

11 FAM 820 SCIENTIFIC INTEGRITY

(CT:POL-56; 06-13-2013)
(Office of Origin: L/M)

11 FAM 821 PURPOSE

(CT:POL-56; 06-13-2013)

- a. Science and technology play an increasingly important role in U. S. foreign policy. The Department of State is committed to preserving scientific integrity across domestic offices and U.S. missions abroad, and advocates for similar policies with bilateral and multilateral partners.
- b. This subchapter describes the Department's scientific integrity policy, and is intended to guide and serve as a resource when questions arise. To ensure a foundation of scientific integrity, this policy covers the use of science in the decision-making process, communication of scientific and technological information, the use of Federal advisory committees, the selection of candidates for scientific positions, and the professional development of scientists, engineers, and employees who manage scientific and technical portfolios. It also describes mechanisms and procedures to prevent and report compromises of scientific integrity.
- c. This subchapter implements the principles described in the White House's March 9, 2009 memorandum in accordance with the guidelines laid out in the *White House's Office of Science and Technology Policy (OSTP)* December 17, 2010 memorandum. See 11 FAM 822.

11 FAM 822 AUTHORITIES

(CT:POL-51; 04-16-2012)

- a. **Presidential Memorandum, dated March 9, 2009, on Scientific Integrity:**
This memorandum laid out the following principles for scientific integrity within the executive branch:
 - (1) The selection and retention of candidates for science and technology positions in the executive branch should be based on the candidate's knowledge, credentials, experience, and integrity;
 - (2) Each agency should have appropriate rules and procedures to ensure the integrity of the scientific process within the agency;
 - (3) When scientific or technological information is considered in policy

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decisions, the information should be subject to well-established scientific processes, including peer review where appropriate, and each agency should appropriately and accurately reflect that information in complying with and applying relevant statutory standards;

- (4) Except for information that is properly restricted from disclosure under procedures established in accordance with statute, regulation, Executive Order, or Presidential Memorandum, each agency should make available to the public the scientific or technological findings or conclusions considered or relied on in policy decisions;
- (5) Each agency should have in place procedures to identify and address instances in which the scientific process or the integrity of scientific and technological information may be compromised; and
- (6) Each agency should adopt such additional procedures, including any appropriate whistleblower protections, as are necessary to ensure the integrity of scientific and technological information and processes on which the agency relies in its decision making or otherwise uses or prepares.

b. **Memorandum from Dr. John Holdren, Assistant to the President for Science and Technology, dated December 17, 2010:** This memorandum directed executive agencies to develop policies that address the foundations of scientific integrity in government, public communications, the use of Federal advisory committees, and professional development of government scientists and engineers.

11 FAM 823 SUBCHAPTER DEFINITIONS

(CT:POL-56; 06-13-2013)

Compromise of scientific integrity: Compromises of scientific integrity include but are not limited to:

- (1) Using scientific studies or data to inform the decision making process that are not representative of the current state of scientific knowledge and research (for example because they lack peer review, utilize poor methodology, or contain flawed analyses);
- (2) Misrepresenting the underlying assumptions, uncertainties, or probabilities of scientific findings or attempting to suppress or alter scientific or technical findings (including, but not limited to, those performed by U.S. Government scientists) during any step of the decision making process; or
- (3) Altering, or misrepresenting scientific or technological findings in public communications.

ESTH: Acronym that refers collectively to environment, science, technology, and health topics.

Official: Speaking, writing, or teaching is official (and automatically of official

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concern) when conducted in connection with Department employment, or in any capacity represents the Department of State (see also 3 FAM 4170 and 10 FAM 120).

Of official concern: Activities or topics that may reasonably be interpreted as relating to the current responsibilities, interests, programs, or operations of the Department of State; *and* current U.S. foreign policies, which reasonably may be expected to affect the foreign relations of the United States (see also 3 FAM 4170 and 10 FAM 120). Activities or topics that do not meet this definition are of no official concern.

Peer review: A process by which scientific research proposals or scientific findings are reviewed by other scientists with relevant backgrounds or expertise. The peer review process serves as a mechanism to identify meritorious research projects, to promote 'quality control' by rejecting unsubstantiated findings or conclusions, and to identify methodological flaws, although it does not guarantee *that* data or findings are free of biases, mistakes, or other errors.

Scientific data: Data obtained through the scientific method, observation, research, and technical analysis that are testable, verifiable, and repeatable, or contain measures of uncertainty.

Unofficial: Speaking, writing, or teaching is unofficial when conducted in a private capacity outside U.S. Government property, work hours, or orders. An activity can be unofficial but still be of official concern (see also 3 FAM 4170 and 10 FAM 120).

11 FAM 824 POLICY

11 FAM 824.1 The Role of Science in Diplomacy and Development

(CT:POL-51; 04-16-2012)

- a. Science plays a key role in informing policy, including foreign policy, and is a key aspect of sound, fact-based decision making. The Department of State is committed to science-based policy making, and to increasing international collaboration to advance global scientific knowledge.
- b. Policies that strengthen the role of science and technology in innovation support U.S. scientific capabilities. These policies also support U.S. foreign policy objectives of enhancing global security, promoting and sustaining democratic states through improved governance, increasing economic and social development, and fostering public outreach to foreign audiences. For example, the underlying values of scientific integrity—merit review, reproducible results, and data that are openly published and transparent—reflect U. S. goals for

promoting democracy and good governance.

- c. Science and technology play key roles in fostering the ideas and innovations that will solve shared global challenges. New technologies are essential to address the climate, energy, health, food, citizen security, connectivity, and natural resource challenges facing the world. Equally, every country's competitiveness, development, prosperity, national security, and stability require participation in the globally interconnected knowledge-based economy of the 21st century and the international scientific community.

11 FAM 824.2 Applicability

(CT:POL-56; 06-13-2013)

- a. The Department of State's scientific integrity policy applies to all Civil Service and Foreign Service employees, political appointees, fellows, interns, contractors, and locally employed staff who:
 - (1) Incorporate scientific information in the decision-making process;
 - (2) Communicate science and technology policy or scientific topics;
 - (3) Serve on or select members of advisory panels that address issues of a scientific or technical nature (see also 11 FAM 813.2);
 - (4) Manage or support portfolios that include environment, science, technology, and health (ESTH) or engineering;
 - (5) Evaluate proposals for grants, foreign assistance, contracts, cooperative agreements for ESTH related activities;
 - (6) Facilitate scientific cooperation between government, academic, private institutions or nongovernmental or civil society organizations; or
 - (7) Develop positions on ESTH issues in bilateral and multilateral negotiations.
- b. The Department's scientific integrity policy does not amend or supersede the provisions of Federal statutes or regulations, including standards of conduct and avoidance of conflicts of interest (see, for example, 5 CFR 2635.1); nor does it supersede other Department policy guidance, including other FAM provisions, unless expressly stated herein.
- c. This scientific integrity policy is not intended to, and *must* not be interpreted to, limit, constrain, or guide the gathering or analysis of intelligence.

11 FAM 824.3 Scientific Integrity in the Decision-Making Process

(CT:POL-56; 06-13-2013)

- a. When feasible, appropriate, and consistent with the law, individuals working for the Department of State should ensure that the underlying assumptions,

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uncertainties, and probabilities of scientific or technical data are taken into account and communicated during the decision-making process.

- b. When scientific or technological information is considered in policy decisions, the information should be representative of the current state of the science, evidence-based, and when feasible, appropriate, and consistent with law, *and* subject to well-established scientific processes such as peer review.
- c. It is Department of State policy that no attempts are to be made to alter or suppress the use of scientific or technological findings in the decision-making process, and individuals working for the Department should ensure that this standard is achieved.

11 FAM 825 COMMUNICATION OF SCIENTIFIC AND TECHNOLOGICAL INFORMATION

11 FAM 825.1 Official Statements

(CT:POL-51; 04-16-2012)

All communication of scientific topics, policies, and research to the media or general public in official capacity must be cleared through the Bureau of Public Affairs according to the guidelines of 3 FAM 4170 and 10 FAM 120.

11 FAM 825.2 Role of the Department's Public Affairs Offices

(CT:POL-51; 04-16-2012)

In accordance with Department procedures, public affairs offices may decide to proceed or not to proceed with proposed interviews or other public information-related activities that are of official concern (refer to the policies and procedures in 3 FAM 4170 and 10 FAM 120). Individuals working for the Department of State should ensure that no attempts are made to alter, misrepresent or suppress the use of scientific or technological findings in public communications. Disputes that arise from decisions to proceed or not proceed with proposed interviews or other public information-related activities should be resolved according to the provisions of 11 FAM 828.

11 FAM 825.3 Content of Public Outreach Materials

(CT:POL-51; 04-16-2012)

When public diplomacy or public affairs activities incorporate ESTH topics, their content should be representative of well-established scientific processes, and when possible and appropriate, utilize peer-reviewed material.

11 FAM 825.4 Material Prepared in an Employee's Personal Capacity

(CT:POL-56; 06-13-2013)

All unofficial speaking, writing, or teaching activities on scientific topics, policies, and research that are of official concern must be approved by public affairs *offices* according to the guidelines of 3 FAM 4170 and require a disclaimer. Unofficial activities on matters clearly not of official concern do not require review (see also 3 FAM 4172 and 10 FAM 120).

11 FAM 825.5 Press Inquiries

(CT:POL-56; 06-13-2013)

- a. In the context of existing Department policy for making statements to the press (10 FAM 122), the Department will ensure that the authorized spokesperson responding to media requests about the scientific and technological dimensions of the Department's work is articulate and knowledgeable, and can, in an objective and nonpartisan way, describe these dimensions to the media and the American people and/or refer to appropriate U.S. technical agencies.
- b. If a Department employee is contacted directly by a member of the press about the scientific or technological dimensions of his or her work, he or she should refer them to the appropriate bureau contact for public affairs (see also 3 FAM 4170 and 10 FAM 120).
- c. A Department employee may speak to the media or the public about scientific and technological matters based on his or her official work pursuant to the policies and procedures included in 3 FAM 4170 and 10 FAM 120 *through 10 FAM 122*.

11 FAM 825.6 Right of Review

(CT:POL-51; 04-16-2012)

Scientists at other Federal agencies have the right to review documents that rely substantially on data they collected, analyses they performed, or the results of their research, to ensure that the science has been accurately interpreted and represented.

11 FAM 826 FEDERAL ADVISORY COMMITTEES

(CT:POL-51; 04-16-2012)

The Department of State uses Federal Advisory Committees to obtain advice on foreign policy matters. Guidance for matters of a scientific or technical nature is in 11 FAM 813.2.

11 FAM 827 SELECTION AND PROFESSIONAL DEVELOPMENT OF GOVERNMENT SCIENTISTS AND ENGINEERS

(CT:POL-56; 06-13-2013)

It is the policy of the Department of State to:

- (1) Ensure that the selection of candidates for scientific positions is based primarily on their scientific and technical knowledge, credentials, experience, and integrity;
- (2) Encourage employees entering into positions that include ESTH to enroll in courses and attend seminars and workshops related to these issues such as those offered by the Foreign Service Institute;
- (3) Encourage and support, where possible, employees with technical backgrounds to stay current in their fields when such efforts advance the Department's mission by providing access to scholarly journals and supporting participation in short courses or attendance at technical conferences;
- (4) Encourage participation in professional societies and other organizations to enhance professional development, especially when such participation advances the Department's mission. Department employees may serve as editors or editorial board members of scholarly journals and participate in committees and task forces if there is no conflict of interest or appearance thereof, and Department legal and ethical requirements are met. Additionally, Department employees should work with the Bureau of Public Affairs to establish whether or not the use of a disclaimer is necessary;
- (5) Allow scientists who are employed as Civil Service *or* Foreign Service *employees*, political appointees, fellows, interns, contractors, and locally employed staff (LES) to publish in scientific journals and present at public or professional meetings provided they follow the guidelines in 3 FAM 4172; *and*
- (6) Recognize the achievements of its employees and allow them to receive awards and honors for research and discoveries.

11 FAM 828 PREVENTING AND REPORTING MECHANISMS

(CT:POL-56; 06-13-2013)

- a. To ensure a culture of scientific integrity and prevent its compromise, employees are encouraged to raise questions about scientific integrity with their colleagues or immediate supervisor as they arise.

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- b. Use the following mechanisms to address instances where scientific integrity is compromised:
 - (1) Reporting up the chain of command;
 - (2) The Civil *Service* and Foreign Service Grievance Systems according to 3 FAM 4700 and 3 FAM 4400, *respectively*;
 - (3) The Dissent Channel according to 2 FAM 070; *and*
 - (4) Reporting to the Office of Inspector General in accordance with 1 FAM 053.2-5.
- c. Under these scientific integrity guidelines, the Department will continue to comply with the requirements of the Whistleblower Protection Act of 1989 (WPA), Public Law 101-12, and its expanded protections enacted by Public Law 103-424. The Department *must* also continue to comply with all Department WPA regulations, rules, and policies (see 3 FAM 4329).

11 FAM 829 UNASSIGNED